

HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE WASHINGTON MUTUAL
MORTGAGE BACKED SECURITIES
LITIGATION

This Document Relates to: ALL CASES

Master Case No. 2:09-cv-00037-MJP

**STIPULATION, AGREED MOTION
AND ORDER MODIFYING AND
CORRECTING ORDER ON CLASS
CERTIFICATION DATED OCTOBER
21, 2011**

**NOTED ON MOTION CALENDAR:
January 25, 2012**

STIPULATION AND AGREED MOTION

Pursuant to the Court's October 21, 2011, Order Granting in part and Denying in Part Plaintiffs' Motion for Class Certification ECF No. 345 ("Order") the following Class was certified in this Action:

All persons or entities who purchased or otherwise acquired the following WaMu Mortgage-Pass Through Certificates: 2006 AR-7 tranche 1A; 2006 AR-12 tranche 1A1; 2006 AR-16 tranches 2A1, LB1, LB2, LB3, 3B1, 3B2, and 3B3; 2006 AR-17 tranche 1A; 2006 AR-18 tranche 2A1; and 2007-HY1 tranches 1A1 and 3A3 ("WAMU Bonds") on or before August 1, 2008 pursuant and/or traceable to their Registration Statements and accompanying Prospectuses filed with the Securities and Exchange Commission ("Offering Documents") and who were damaged thereby..

STIPULATION, AGREED MOTION AND ORDER MODIFYING
AND CORRECTING ORDER ON CLASS CERT
(NO. 2:09-CV-0037-MJP) - 1

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Pursuant to FRCP 60(a), the parties jointly request to amend and correct that Order to reflect the correct tranche of Certificates purchased by Plaintiff Boilermakers in the WAMU 2006-AR7 Certificate Offering – tranche 2A.

The parties agree that Plaintiff Boilermakers purchased the WAMU 2006-AR7 **tranche 2A**, not *tranche 1A*, Certificates, as the current Order states. Because the Court limited the Certified Class in this case and held that Plaintiffs only have the standing “to represent those entities and persons who purchased certificates from the thirteen tranches of WaMu MBS that the named Plaintiffs actually purchased,” Order at 16, the Class that should have been Certified reads as follows:

All persons or entities who purchased or otherwise acquired the following WaMu Mortgage-Pass Through Certificates: 2006 AR-7 **tranche 2A**; 2006 AR-12 tranche 1A1; 2006 AR-16 tranches 2A1, LB1, LB2, LB3, 3B1, 3B2, and 3B3; 2006 AR- 17 tranche 1A; 2006 AR-18 tranche 2A1; and 2007-HY1 tranches 1A1 and 3A3 (“WAMU Bonds”) on or before August 1 ,2008 pursuant and/or traceable to their Registration Statements and accompanying Prospectuses filed with the Securities and Exchange Commission (“Offering Documents”) and who were damaged thereby.

Because the parties agree that the Court’s error was nothing more than an inadvertent clerical error, and because there will be no prejudice incurred by any party hereto, the parties respectfully request that the Court modify the October 21, 2011 Order certifying the class action to reflect Boilermakers’ purchase of, and role as Class Representative for, WAMU 2006-AR7, Tranche 2A.

The parties have annexed hereto for the Court’s approval and signature, a Proposed Corrected Version of Page 17 of the October 21, 2011 Order on Class Certification to reflect this proposed change. The parties respectfully request that the Court order the clerk to replace page 17 of the Order with the attached corrected version.

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1 Dated: January 26, 2012

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3 **IT IS SO ORDERED.**

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5 Dated: January 26, 2012

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8 Marsha J. Pechman
9 United States District Judge
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